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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/628,734
		Filing Date	07/28/2003
		First Named Inventor	James E. Hagstrom, et al.
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	161	Attorney Docket Number	13.3.6

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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Firm or Individual name	Mirus Corporation
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Date	08/02/2004

CERTIFICATE OF MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: **James E. Hagstrom,)**
Jon A. Wolff, Sean D. Monahan,)
David B. Rozema, Vladimir G. Budker)
Paul M. Slattum, David L. Lewis)
)
Serial No.: **10/628,734)**
)
Filed: **07/28/2003)**
)
Group Art Unit: **)**

For: **Intravascular Delivery of Non-Viral Nucleic Acid**

INFORMATIONAL STATEMENT

Commissioner of Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.56, applicant hereby calls to the attention of the Patent and Trademark Office the publications listed on the attached PTO 1449.

United States Patents

<u>patent no.</u>	<u>inventor</u>	<u>issue date</u>
5,698,531	Nabel et al.	12/6/97
5,521,291	Curiel, David T	05/28/96
5,580,859	Felgner, Philip L.	12/03/96
5,583,020	Sullivan, Sean	12/1/96
5,922,687	Mann, Micheal	07/13/99

International Patents

<u>patent no.</u>	<u>inventor</u>	<u>issue date</u>
PCT/US98/27072		07/01/99

References Cited

Acsadi, G., Jiao, S., Jani, A., Duke, D., Williams, P., Chong, W., Wolff, J.A. Direct gene transfer and expression into rat heart in vivo. *The New Biologist* 3(1), 71-81, 1991.

Barron, LG. Et al., "Cationic Lipids Are Essential For Gene Delivery Mediated By Intravenous Administration of Lipoplexes." *Gene Therapy* 1999/6; pp.1179-1183.

Bohm, W. Et al., "Routes of Plasmid DNA Vaccination That Prime Murine Humoral and Cellular Immune Responses." *Vaccine* 1998; Vol. 16, No. 9/10; pp. 949-954.

Budker, V. Et al., "Naked DNA Delivered Intraportally Expresses Efficiently in Hepatocytes." *Gene Therapy* 1996; 3; pp. 593-598.

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Chapman G et al. "Gene transfer into coronary arteries of intact animals with a percutaneous balloon catheter," *Circ. Res*; 1992 Vol. 71 pp. 27-33

Coll, Jean-Luc. Et al., "In Vivo Delivery to Tumors of DNA Complexed With Linear Polyethylenimine." *Human Gene Therapy* July 1, 1999; 10; pp. 1659-1666.

Goula, D. Et al., "Polyethylenimine-Based Intravenous Delivery of Transgenes to Mouse Lung." *Gene Therapy* 1998/5; pp.1291-1295.

Greelish JP et al. "Stable restoration of the sarcoglycan complex in dystrophic muscle perfused with histamine and a recombinant adeno-associated viral vector." *Nature*; 1999 Vol. 5 no. 4 pp. 439-443

Kawabata, K. Et al., "The Fate of Plasmid DNA After Intravenous Injection in Mice: Involvement of Scavenger Receptors in Its Hepatic Uptake." *Pharmaceutical Research* 1995; Vol. 12, No. 6; pp. 825-830.

Liu F et al. "Hydrodynamics-based transfection in animals by systemic administration of plasmid DNA," *Gene Ther*; 1999 Vol. 6 pp. 1258-1266

Liu, Yong Et al., "Cationic Liposome-Mediated Intravenous Gene Delivery." *The Journal of Biological Chemistry* October 20, 1995;Vol. 270, No. 42; pp. 24864-24870.

McLean, John W. Et al., "Organ-Specific Endothelial Cell Uptake of Cationic Liposome-DNA Complexes in Mice." *The American Physiological Society* 1997; pp. H387-H404.

Milas M et al. "Isolated limb perfusion in the sarcoma-bearing rat: a novel preclinical gene delivery system," *Clin Cancer Res*; 1997 Vol. 3 no. 12 Pt. 1, pp. 2197-203

Song, YK. Et al., "Enhanced Gene Expression in Mouse Lung by Prolonging the Retention Time of Intravenously Injected Plasmid DNA." *Gene Therapy* 1998; 5; pp. 1531-1537.

Soriano P et al. "Targeted and nontargeted liposomes for in vivo transfer to rat liver cells of a plasmid containing the preproinsulin I gene," *PNAS*; 1983 Vol. 80 pp. 7128-7131

Trubetskoy VS, Slattum PM, Hagstrom JE, Wolff JA, Budker VG. Quantitative assessment of DNA condensation. *Anal Biochem*. 1999; 267: 309-313.

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Zhang, Guofeng Et al., "Expression of Naked Plasmid DNA Injected Into the Afferent and Efferent Vessels of Rodent and Dog Livers." Human Gene Therapy October 10, 1997; 8; pp. 1763-1772.

Zhang G et al. "High Levels of Foreign Gene Expression in Hepatocytes after Tail Vein Injections of Naked Plasmid DNA," Human Gene Therapy; 1999 Vol. 10 pp. 1735-1737

Zhang et al. "Efficient expression of naked dna delivered intraarterially to limb muscles of nonhuman primates," Human Gene Therapy 2001 Vol. 12 no. 4 pp. 427-438

Zhu, Ning Et al., "Systemic Gene Expression After Intravenous DNA Delivery Into Adult Mice." Science July 9, 1993; Vol. 261; pp. 209-211.

Applicant respectfully requests that these publications be expressly considered during the prosecution of this application and made of record herein and appear among the 'References Cited' on any patent to issue herefrom.

Respectfully submitted,

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New Berlin, WI 53151-0644
(414) 821-5690

I hereby certify that this correspondence is being sent by United States Postal Service mail to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on:

8-2-04

<p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>FORM PTO-1449 OCT 1 2004 AUG 07 2004 U.S. PATENT & TRADEMARK OFFICE</p>	Attorney Docket No.: Mirus.013.03.6	Serial No.: 10/628,734
	Applicant: James E. Hagstrom, Jon A. Wolff, Sean D. Monahan, David B. Rozema, Vladimir G. Budker, Paul M. Slattum, David L. Lewis	Group:
		Examiner: Joseph Woitach

U.S. PATENT DOCUMENTS

Patent Number	Issue Date	Patentee	Class	Sub Class	Filing Date
5,698,531	12/6/97	Nabel et al.	514	44	01/23/ 1995
5,521,291	05/28/96	Curiel, David T	530	391.7	12/15/1993
5,580,859	12/03/96	Felgner, Philip L.	514	44	03/18/1994
5,583,020	12/1/96	Sullivan, Sean	435	458	11/19/1993
5,922,687	07/13/99	Mann, Micheal J.	514	44	11/17/1996

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

Document Number	Publication Date	Country or Patent Office	Class	Sub Class	Transl.
PCT/US98/27072	07/01/99	United States	A01N	43/04	yes
					no

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, etc.)

	Acsadi, G., Jiao, S., Jani, A., Duke, D., Williams, P., Chong, W., Wolff, J.A. Direct gene transfer and expression into rat heart in vivo. <i>The New Biologist</i> 3(1), 71-81, 1991.
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	McLean, John W. Et al., "Organ-Specific Endothelial Cell Uptake of Cationic Liposome-DNA Complexes in Mice." <i>The American Physiological Society</i> 1997; pp. H387-H404.
	Milas M et al. "Isolated limb perfusion in the sarcoma-bearing rat: a novel preclinical gene delivery system," <i>Clin Cancer Res.</i> 1997 Vol. 3 no. 12 Pt. 1, pp. 2197-203
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		Trubetskoy VS, Slattum PM, Hagstrom JE, Wolff JA, Budker VG. Quantitative assessment of DNA condensation. <i>Anal Biochem</i> . 1999; 267: 309-313.
		Von Der Leyen, Heiko, E., Et al., "A Pressure-Mediated Nonviral Method For Efficient Arterial Gene and Oligonucleotide Transfer." <i>Human Gene Therapy</i> ; September 20, 1999; vol. 10; pp. 2355-2364.
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		Zhu, Ning Et al., "Systemic Gene Expression After Intravenous DNA Delivery Into Adult Mice." <i>Science</i> July 9, 1993; Vol. 261; pp. 209-211.

Examiner:	Date Considered:
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